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PATENT  
Customer No. 22,852  
Attorney Docket No. 4329.2701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
YASUFUMI TAHARA ET AL. )  
)  
Application No.: 09/992,017 ) Group Art Unit: 2661  
)  
Filed: November 26, 2001 ) Examiner: Unknown  
)  
For: DATA TRANSMISSION SYSTEM, ) Confirmation No.: 8247  
)  
AND NODE EQUIPMENT AND )  
NETWORK MANAGEMENT )  
EQUIPMENT USED IN THE SAME )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. A copy of the U.S. patent publication is not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Attached is a European Search Report issued by the European Patent Office in a counterpart European application, dated November 19, 2004, citing these documents.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.


Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

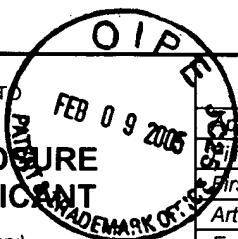
Dated: \_\_\_\_\_

2/9/05

By: \_\_\_\_\_

  
Richard V. Burgujian  
Reg. No. 31,744

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| IDS Form PTO/SB/08: Substitute for form 1449A/PTD<br><br><div style="text-align: center;"> <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br/> <i>(Use as many sheets as necessary)</i> </div> |   |    |   | <b>Complete if Known</b><br>Application Number: 09/992,017<br>Filing Date: November 26, 2001<br>First Named Inventor: Yasufumi Tahara<br>Art Unit: 2661<br>Examiner Name: Unknown<br>Attorney Docket Number: 4329.2701 |  |
| Sheet  | 1 | of | 1 |  |  |



| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS |                       |  |   |   |   |
|---|-----------------------|--|---|---|---|
| Examiner Initials                                   | Cite No. <sup>1</sup> | Document Number                          | Issue or Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|   |                       | Number-Kind Code <sup>2</sup> (if known) |   |   |   |
|   |                       | US-5,187,706                             | 2/16/93                                 | Frankel et al.                                  |   |
|   |                       | US-                                      |   |   |   |
|   |                       | US-                                      |   |   |   |
|   |                       | US-                                      |   |   |   |
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**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

| FOREIGN PATENT DOCUMENTS |                       |   |                                |   |   |                          |
|--------------------------|-----------------------|---|--------------------------------|---|---|--------------------------|
| Examiner Initials        | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation <sup>6</sup> |
|                          |                       | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |   |   |                          |
|                          |                       | EP 1 014 611 A2   | 6/28/00                        | Alcatel   |   |                          |
|                          |                       | EP 0 804 001 A2   | 10/29/97                       | Hitachi, Ltd.                                   |   |                          |
|                          |                       |   |                                |   |   |                          |
|                          |                       |   |                                |   |   |                          |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                          |
|---------------------------------|-----------------------|---|--------------------------|
| Examiner Initials               | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation <sup>6</sup> |
|                                 |                       | "TYPES AND CHARACTERISTICS OF SDH NETWORK PROTECTION ARCHITECTURES," ITU-T Telecommunication Standardization Sector of ITU (July 10, 1995), XP 000672074, pp. 1-89  |                          |
|                                 |                       | European Search Report issued by EPO, dated November 19, 2004, in European Application No. 01309941   |                          |
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| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.